UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
52nd meeting
held on
Friday, 8 December 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 52nd MEETING

Chairman: Mr. RATA (New Zealand)
(Vice-Chairman)

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Distr. GENERAL
A/C.3/50/SR.52
9 February 1996
ENGLISH
ORIGINAL: FRENCH

95-82669 (E)

In the absence of Mr. Tshering (Bhutan), Mr. Rata (New Zealand), Vice-Chairman, took the Chair.

The meeting was called to order at 5 p.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.53)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.37, L.46, L.48, L.49, L.55, L.57, L.59 and L.61)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/50/L.41, L.52, L.54, L.56 and L.60)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/50/L.50)

Draft resolution A/C.3/50/L.37, entitled "National institutions for the promotion and protection of human rights"

1. Ms. MURUGESAN (India), introducing draft resolution A/C.3/50/L.37 on behalf of the original sponsors and France, Latvia, New Zealand and Portugal, said that the draft recognized the growing importance and usefulness of national institutions and of the various measures they were taking for the promotion and protection of human rights.

2. A number of amendments should be made to the text. In the seventh preambular paragraph, after the word "recognizing", the words "that these could be developed further" should be replaced by "the need for their continued dissemination". Paragraph 4 should be added to the end of paragraph 2, with the insertion of the word "and". In paragraph 6, the word "and" at the end of the first line and the word "the" at the end of the second line should be deleted; and the words "including those of the United Nations" should be added at the end of the paragraph. The words "and invites governments to contribute to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for these purposes" should be added at the end of paragraph 7. A new paragraph should be inserted between paragraphs 9 and 10 and should read: "Recognizes the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights". The Secretariat was also requested to ensure that the names of all the sponsors appeared in the other language versions of the draft resolution as well as the in the English version.

3. Mr. WILLIS (Australia) said that his delegation wished to join the sponsors of the draft resolution.

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Draft resolution A/C.3/50/L.41, entitled "Situation of human rights in Afghanistan"

4. The CHAIRMAN, in accordance with custom, introduced draft resolution A/C.3/50/L.41 as a document of the Chairman.

Draft resolution A/C.3/50/L.46, entitled "Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)"

5. Mr. SHAPIRO (United States of America), introducing draft resolution A/C.3/50/L.46 on behalf of the original sponsors and Afghanistan, Belgium, the Czech Republic, France, Ireland, Jordan, Kuwait, Liechtenstein, Luxembourg, Malaysia, the Netherlands, Saudi Arabia, Spain and Tunisia, said that a number of amendments had been made to the draft. The fifteenth preambular paragraph should be deleted and replaced by: "Welcoming the efforts of the European Union to promote respect for human rights and fundamental freedoms through its monitoring mission as well as the reconstruction efforts of the European Union, other States and organizations, and endorsing the Special Rapporteur's recommendation that economic and other aid be made conditional on meaningful progress on human rights". The beginning of paragraph 12 should read: "Expresses its complete support for the victims of violations of human rights and international humanitarian law, recognizes ...". The words "including to account for the fate of the two missing French pilots and to ensure their immediate return" should be deleted from paragraph 19, and a new paragraph should be inserted after paragraph 19, to read: "Urges all parties concerned, in conformity with their commitment to do so, to take the necessary steps to account for the fate of the two missing French pilots in the Republic of Bosnia and Herzegovina and to ensure their safe and immediate return". In light of the extensive consultations that had taken place on the text of the draft resolution, it was to be hoped that it would receive the widest support.

6. Mr. SY (Senegal) said that his delegation wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.48, entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities"

7. Mr. THEUERMANN (Austria), introducing draft resolution A/C.3/50/L.48 on behalf of the original sponsors and Gabon, Malta and Ukraine, said that the draft was based on resolutions previously adopted by the General Assembly and the Commission on Human Rights as well as on the very useful report of the Secretary-General (A/50/514) and the relevant chapter of the report of the United Nations High Commissioner for Human Rights (A/50/36). Since there had been extensive consultations with the sponsors and with other delegations that had a particular interest in minority issues, he expressed the hope that the draft resolution would be adopted without a vote. Two changes had been made to the text. The wording of paragraph 4 should be replaced by that of paragraph 4 of resolution 49/192, namely "Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their

countries, in accordance with the Declaration"; and paragraph 13 should be deleted.

8. Mr. STREJCZEK (Poland) said that his delegation would like to join the sponsors of the draft resolution.

9. The CHAIRMAN announced that Bangladesh, Eritrea, India, the Republic of Korea, Rwanda and Spain wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.49, entitled "Human rights in the administration of justice"

10. Mr. THEUERMANN (Austria), introducing draft resolution A/C.3/50/L.49 on behalf of its 34 original sponsors and the Netherlands, New Zealand, Spain and Ukraine, said that the text was based on resolution 48/137, which had been adopted without a vote at the forty-eighth session of the General Assembly, and on the reports of the Commission on Human Rights on the same items. After calling particular attention to the fifth preambular paragraph and paragraphs 1, 3, 6 and 7, he proposed that paragraph 12 should be deleted in light of the limited resources of the Organization. The sponsors hoped that the draft resolution would be adopted without a vote.

11. Mr. SOAL (South Africa) said that his delegation wished to join the sponsors of the draft resolution.

12. The CHAIRMAN said that Burundi, Lesotho, Mongolia, Poland and the Republic of Moldova had joined the sponsors of the draft resolution.

13. Ms. ENKHTSETSEG (Mongolia) said that her delegation was one of the sponsors of draft resolution A/C.3/50/L.48, not of draft resolution A/C.3/50/L.49.

Draft resolution A/C.3/50/L.50, entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action"

14. Mr. THEUERMANN (Austria) said that the Czech Republic, Gabon, Malta, the Netherlands, New Zealand, Suriname and the United Kingdom had added their names to the 49 sponsors of draft resolution A/C.3/50/L.50. He drew attention to the sixth and ninth preambular paragraphs and to paragraphs 5 and 9, and said that the text of paragraph 12 should be inserted between the fourteenth and fifteenth preambular paragraphs, and should therefore begin with the word "Recognizing". Also in the second line of paragraph 5 the word "all" should be inserted between the words "realization of" and the words "human rights". The sponsors hoped that the draft resolution would be adopted without a vote.

15. The CHAIRMAN said that Angola, Argentina, Bangladesh, Chile, Croatia, Mongolia, Pakistan, Poland, the Republic of Korea, Rwanda and Turkey had joined the sponsors of the draft resolution.

16. Mr. ADAWA (Kenya) said that his delegation wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.52, entitled "Situation of human rights in Myanmar"

17. Mr. RÖNQUIST (Sweden), introducing draft resolution A/C.3/50/L.52 on behalf of the sponsors, said that Austria and Portugal had joined the sponsors. A new preambular paragraph should be inserted between the sixth and seventh preambular paragraphs; it would read: "Noting recent developments regarding the composition of the National Convention,". Having drawn attention to a number of preambular paragraphs and operative paragraphs and pointed out that the draft resolution reflected matters of concern to the sponsors as well as the positive developments, he expressed the hope that it would be adopted without a vote as had been the case with similar resolutions in previous years.

Draft resolution A/C.3/50/L.53, entitled "International Covenants on Human Rights"

18. Ms. NEWELL (Secretary of the Committee) drew attention to the following technical correction to paragraph 6, which had been pointed out by Norway: the phrase "i.e., the need to take into account the specific need and situations of women" after the words "the gender perspective" should be deleted.

19. Mr. ROSNES (Norway), introducing draft resolution A/C.3/50/L.53 on behalf of its sponsors, drew attention to a number of preambular paragraphs and to paragraphs 2, 4, 5, 6, 7, 8 and 14, and said that in paragraph 7 of the English version, the word "and" should be inserted after the words "as possible". Malta had now joined the sponsors of the draft resolution. Since the General Assembly had adopted a similar resolution by consensus at its forty-eighth session, the sponsors hoped that the Committee would also adopt the draft resolution without a vote.

20. The CHAIRMAN said that the Russian Federation had joined the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.54, entitled "Protection of and assistance to internally displaced persons" and draft resolution A/C.3/50/L.55, entitled "Elimination of all forms of religious intolerance"

21. The CHAIRMAN informed the Committee that, as requested by their sponsors, the two draft resolutions would be introduced at a later date.

Draft resolution A/C.3/50/L.56, entitled "Human rights in Haiti"

22. Mr. de ROJAS (Venezuela) introduced the draft resolution on behalf of its sponsors, which included the Friends of the Chairman consisting of the delegations of Argentina, Canada, France, the United States of America and Venezuela, who had been joined by Cuba, Finland, Jamaica, Trinidad and Tobago and Uruguay. He drew attention to two corrections, saying that paragraphs 6 and 7 should be reversed, and that, in the Spanish version, the words "no obsten para que" in paragraph 4 should be replaced by the words "no impidan que".

23. The purpose of the draft resolution was to acknowledge the progress that had been made by the Government of Haiti and to emphasize the commitment of the international community to support the strengthening of that country's

democratic institutions. The independent expert appointed pursuant to Commission on Human Rights resolution 1995/70 had stated in his report (A/50/514) that violations of human rights had diminished greatly. It was, however, necessary to support the reform of the judicial system, particularly in respect of institutions for the defence of human rights and democracy, penal institutions, the administration of justice and law enforcement agencies, in order to create the conditions for the protection of and respect for human rights, in accordance with the international instruments currently in force. He hoped that the draft resolution would be adopted by consensus.

24. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation wished to join the sponsors of the draft resolution.

25. Mr. MATALA-DE-MAZZA (Congo) said that his delegation also wished to join the sponsors.

Draft resolution A/C.3/50/L.57, entitled "Right to development", draft resolution A/C.3/50/L.59, entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization", and draft resolution A/C.3/50/L.60, entitled "Situation of human rights in Cuba"

26. The CHAIRMAN said that the sponsors of draft resolutions A/C.3/50/L.57, A/C.3/50/L.59 and A/C.3/50/L.60 would not be ready to introduce their texts until Monday, 11 December.

AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

27. The CHAIRMAN informed the Committee that the draft resolution concerning the follow-up to the Fourth World Conference on Women had been produced by consensus and would therefore be introduced as a Chairman's text. It would be published very shortly as document A/C.3/50/L.64.

The meeting rose at 5.55 p.m.